PTO/SB/97 (08-00)

CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office

on November 3, 2004 date

DJ Bogorodsky

Typed or printed name of person signing Certificate

In re: application of: Binh Vo et al. Application Number: 10/698,739

Filed: October 30, 2003 Confirmation Number: 3284

Title: FUNCTIONAL FAILURE ANALYSIS TECHNIQUES FOR PROGRAMMABLE INTEGRATED CIRCUITS

Atty Docket Number: 015114-068400US SJC/dib

Being faxed to Office of Initial Patent Examination at facsimile number 1-703-746-4060 are the following documents:

This PTO/SB/97 Certificate of Transmission (1 page);

PTO/SB/21 Transmittal Form (1 page);

Notice Regarding Nonpublication Request (1 page);

Communication (2 pages); and

Copy of ADS as submitted at filing (7 pages)

Number of pages being transmitted: 12

6034B311 v1

Townsend and Townsend and Crew LLP Telephone - 650-326-2400 Facsimile -- 650-326-2422

fax ref. # <u>71149</u>

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PATENT
Attorney Docket No.: 015114-068400US
Client Reference A1109

TOWNSEND and TOWNSEND and CREW LLP

By: DJ Boggrodsky

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Binh Vo et al.

Application No.: 10/698,739

Filed: October 30, 2003

For: FUNCTIONAL FAILURE ANALYSIS TECHNIQUES FOR PROGRAMMABLE

INTEGRATED CIRCUITS

Confirmation No.: 3284

Examiner: Unassigned

Art Unit: 2858

COMMUNICATION IN RESPONSE TO NOTICE REGARDING NONPUBLICATION

REQUEST

Office of Initial Patent Examination Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Sir:

A Notice Regarding Nonpublication Request was mailed on October 21, 2004 stating that patent application 10/698,739 claims priority to a foreign filed patent application. This Notice is incorrect. The applicant has NOT made a priority claim to a foreign filed patent application.

The filing receipt for patent application 10/698,739 lists claims to a foreign filed patent application and a U.S. provisional application. This information on the filing receipt is incorrect. The applicant has not made a priority claim to a foreign filed patent application or to a U.S. provisional application.

We hereby enclose a copy of the Application Data Sheet which was submitted at the time of filing. As can be seen on the enclosed document, no Domestic or Foreign Priority Information is listed. Therefore, issuance of a corrected filing receipt is respectfully requested. Also, it is requested that the Nonpublication Request that was submitted at the time of filing, be accepted and made of record in this application.

|| James D. Sansbury Application No.: 09/832,754 Page 2 **PATENT**

Respectfully submitted,

Steven J. Cahill Reg. No. 44,578

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APPLICATION NUMBER

PILING OR 371 (e) DATE

FIRST NAMED APPLICANT

ATTY. DOCKET NO.

10/698,739

10/30/2003

Binh Vo

015114-068400US

CONFIRMATION NO. 3284

Date Mailed: 10/21/2004

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8TH FLOOR SAN FRANCISCO, CA 94111-3834

NOV 0 3 2004 REPORT OF THE PERSON AND THE PERSON

NOTICE REGARDING NONPUBLICATION REQUEST

The nonpublication request filed on 10/30/2003 is acknowledged.

 Applicant has requested non-publication, certifying that the invention disclosed in this application has not been and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing, and has also claimed the benefit of an application filed in another country or under a multilateral agreement. Because this certification is inconsistent with the priority claim, the Office has scheduled this application for publication in accordance with 37 CFR 1.211(a). If applicant considers the certification submitted with this application to be consistent with the priority claim and persists in requesting that this application not be published pursuant to 37 CFR 1.211, applicant has a non-extendable time period of thirty (30) days from the mail date of this notice to provide a satisfactory explanation as to how the certification submitted with this application is valid in light of the priority claim.

Questions regarding this notice may be directed to the Office of Initial Patent Examination at (703) 308-1202.